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## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

**(Rationalised Report according to the Notice of the President of the EPO published in the OJ11/2001)**

| Applicant's or agent's file reference | FOR FURTHER ACTION | See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) |
|---|---|---|
| NO 7144/WO | | |
| International application No. | International filing date *(day/month/year)* | Priority date *(day/month/year)* |
| PCT/EP 02/ 14867 | 20/12/2002 | 28/12/2001 |
| International Patent Classification (IPC) or national classification and IPC | | |
| A23L1/10 | | |
| Applicant | | |
| SOCIETE DES PRODUITS NESTLE S.A. | | |

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This **REPORT** consists of a total of 2 sheets, including this cover sheet.

   ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

   These annexes consists of a total of _____ sheets.

3. This report contains indications relating to the following items:

   I ☒ Basis of the report

   II ☐ Priority

   III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

   IV ☐ Lack of unity of invention

   V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

   VI ☐ Certain documents cited

   VII ☐ Certain defects in the international application

   VIII ☐ Certain observations on the international application

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| Date of submission of the demand | Date of completion of this report |
|---|---|
| 25/07/2003 | 15/12/2003 |
| Name and mailing address of the IPEA/ | Authorized officer |
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## I. Basis of the report

The basis of this international preliminary examination is the application as originally filed.

## V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability

In light of the documents cited in the international search report, it is considered that the invention as defined in at least some of the claims does not appear to meet the criteria mentioned in Article 33(1) PCT, i.e. does not appear to be novel and/or to involve an inventive step (see international search report, in particular the documents cited X and/or Y and corresponding claim references).

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